

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Patrick Bertram Walker, #296176,)	
)	C.A. No. 1:09-2672-HMH
Petitioner,)	
)	
vs.)	OPINION AND ORDER
)	
Warden of Broad River Correctional)	
Institution,)	
)	
Respondent.)	

This matter is before the court on limited remand from the United States Court of Appeals for the Fourth Circuit for the court to issue or deny a certificate of appealability. A court may issue a certificate of appealability “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). After review, the court finds that the petitioner has failed to satisfy the legal standard to issue a certificate of appealability.

It is therefore

ORDERED that a certificate of appealability is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
October 12, 2010